

IDAHO BOARD OF DENTURITRY
Bureau of Occupational Licenses
700 West State Street, P.O. Box 83720
Boise, ID 83720-0063

Board Meeting Minutes of 11/4/2016

BOARD MEMBERS PRESENT: Richard Howell - Chair
Carla R Wolfrum
Lisa H Penny

BOARD MEMBERS ABSENT: Pamela W Miller
Rebecca L Westerberg

BUREAU STAFF: Tana Cory, Bureau Chief
Dawn Hall, Administrative Support Manager
Lori Peel, Investigative Unit Manager
Eric Nelson, Board Prosecutor
Maurie Ellsworth, General Counsel
Mitchell Toryanski, Legal Counsel
Kim Aksamit, Technical Records Specialist I

OTHERS PRESENT: Fred Giovanini, Geno Giovanini and Cynthia Giovanini

The meeting was called to order at 10:30 AM MDT by Richard Howell.

APPROVAL OF MINUTES

Ms. Wolfrum made a motion to approve the minutes of April 1, 2016 and August 2, 2016. It was seconded by Ms. Penny. Motion carried.

LEGISLATIVE REPORT

Ms. Cory gave the legislative report. She said that the proposed rules have been published in the administrative rules bulletin and posted on the Board's website. A postcard was sent to all licensees regarding the proposed changes. She said the Board received some comments and later on the agenda the Board will review and discuss the comments.

FINANCIAL REPORT

Ms. Hall gave the financial report, which indicated that the Board's had a negative cash balance of (\$3,682.55) as of 10/31/2016.

DISCIPLINE

The memorandum was tabled until the Boards next scheduled meeting.

INVESTIGATIVE REPORT

Ms. Peel gave the investigative report, which is linked above.

OLD BUSINESS

To Do List – The Board reviewed the to do list and no action was taken.

NEW BUSINESS

NEXT MEETING was scheduled for April 7, 2017 at 10:30 am MDT.

COMMENTS ON PROPOSED RULES

The Board reviewed the comments on proposed rules.

The Board discussed each proposed rule separately.

Rule 100 would allow the Board to meet at least annually or at such other times as determined by the Chair or by written request of two (2) members of the Board.

Mr. Ellsworth said that one comment was received from an attorney where the client opposes the rule change to eliminate the request that meetings be held in November and April. The attorney also objected that his client was not notified of any meeting, and was never granted the opportunity to discuss the proposed rules as claimed in the Notice of Rulemaking.

Mr. Ellsworth noted that the open meeting law was followed to give the public notice of their meeting and would continue to be followed by the board for future meetings. No changes will be made.

Rule 150 would allow the exam to be held no less than two (2) times a year at such time and places as may be determined by the Board. The Board shall have the authority to prescribe additional coursework or clinical work for any applicant who has failed an examination two (2) or more times.

No comments were submitted. No changes will be made.

Rule 200 would allow the filing of an application for examination to be received not less than seven (7) business days prior to the next scheduled meeting of the Board. Applications received after that date may be held over until the

Board's next meeting. It also will allow the Board at the time of approval of an application to set the test date if one has not been set.

No comments were submitted. No changes will be made.

Rule 300 would require an internship supervisor to meet certain requirements before being approved to supervise.

Comments were submitted regarding years of work experience required to become a supervisor for an internship.

The Board reviewed the comments and directed Mr. Toryanski to amend the proposed rules to require that supervisors have actively practiced dentistry for at least 3 of the 5 years immediately prior to being approved as a supervisor.

Ms. Penny made a motion to accept these changes and to direct Mr. Toryanski to submit the revised language as a pending rule to the Office of Administrative Rules. It was seconded by Ms. Wolfrum. Motion carried.

Rule 450 would require a dentist to keep a record of each patient and provides the proper record retention procedure.

No comments were submitted. No changes will be made.

EXECUTIVE SESSION

Ms. Wolfrum made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law. The purpose of the Executive Session was to consider license application materials. It was seconded by Ms. Penny. The vote was: Ms. Wolfrum, aye; Ms. Penny, aye; and Mr. Howell, aye. Motion carried.

Ms. Wolfrum made a motion to come out of executive session. It was seconded by Ms. Penny. The vote was: Ms. Wolfrum, aye; Ms. Penny, aye; and Mr. Howell, aye. Motion carried.

APPLICATIONS

Ms. Wolfrum made a motion to approve the internship application for Vanessa Waid. It was seconded by Ms. Penny. Motion carried.

Monthly internship logs were reviewed, no motions were made.

CE REVIEW FOR REINSTATEMENT

Ms. Wolfrum made a motion to accept the continuing education for reinstatement. It was seconded by Ms. Penny. Motion carried.

CONTINUING EDUCATION

After review by Board members, the continuing education audit response was approved.

BOARD ELECTIONS

A motion was made by Ms. Wolfrum to elect Ms. Westerburg as Board Chair. It was seconded by Ms. Penny. Motion carried.

ADJOURNMENT

Ms. Wolfrum made a motion to adjourn the meeting at 11:40 am MDT. It was seconded by Ms. Penny. Motion carried.

Richard Howell, Chair

Carla R Wolfrum

Pamela W Miller

Lisa H Penny

Rebecca L Westerberg

Tana Cory, Bureau Chief